

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

RICHARD BIBBS,

Plaintiff,

v.

Civil Action No. 2:17-cv-03885

NATIONAL PARK SERVICE, LIZZIE  
WATTS, UNKNOWN PARK RANGERS  
A & B, FAYETTE COUNTY SHERIFF'S  
DEPARTMENT, SHERIFF MICHAEL  
FRIDLEY, and DEPUTY E.A.  
SHREWSBURY,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter having been referred to United States Magistrate Judge Dwane L. Tinsley pursuant to 28 U.S.C. § 636(b)(1)(B), he filed his Proposed Findings and Recommendation on January 3, 2020. Magistrate Judge Tinsley recommends that the court (1) grant defendants Sheriff Michael Fridley and Fayette County Sheriff's Department's motion to dismiss, filed June 24, 2019; (2) grant defendants National Park Service, Lizzie Watts, and Unknown Park Rangers A & B's motion to dismiss, filed September 3, 2019; (3) dismiss plaintiff's claims against Deputy E.A. Shrewsbury for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and (4) deny plaintiff's motion to amend

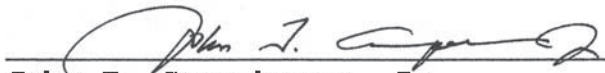
the complaint, filed October 2, 2019. No objections having been filed to the Proposed Findings and Recommendation, it is ORDERED that the findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein.

Accordingly, it is hereby ORDERED as follows:

1. Sheriff Michael Fridley and Fayette County Sheriff's Department's motion to dismiss, filed June 24, 2019, is granted.
2. National Park Service, Lizzie Watts, and Unknown Park Rangers A & B's motion to dismiss, filed September 3, 2019, is granted.
3. Plaintiff's claims against Deputy E.A. Shrewsbury are dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
4. Plaintiff's motion to amend the complaint, filed October 2, 2019, is denied.
5. This case is dismissed.

The Clerk is directed to transmit copies of this memorandum opinion and order to plaintiff, all counsel of record, and the United States Magistrate Judge.

ENTER: January 29, 2020

  
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John T. Copenhaver, Jr.  
Senior United States District Judge